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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,837	11/14/2001	James Clough	10013803-1	3028

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

CHEA, PHILIP J

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,837

Applicant(s)

CLOUGH ET AL.

Examiner

Philip J Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-32 have been examined.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 2 recites the limitation "the file" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Other claims not mentioned specifically are rejected by virtue of being dependent on a rejected claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,4-7,9,10,11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yan et al. (US 6,003,065).

As per claims 1 and 12, Yan et al. disclose a method for loading a file on a server, as claimed, comprising:

- communicating a file from a client to the server, the file containing information (see columns 22 and 23, lines 57-67 and 1-12, where server is considered the host, and the client is considered the peripheral device, and the file is implied because the host knows about the peripheral device);

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- generating an applet based on the information (see columns 22 and 23, lines 57-67 and 1-12, where generation is implied by downloading the applet onto the device);
- communicating the applet from the server to the client (see columns 22 and 23, lines 57-67 and 1-12);
- executing the applet on the client to thereby cause searching for an additional file (see columns 23 and 24, lines 66-67 and 1-4); and
- communicating the additional file to the server (see columns 23 and 24, lines 66-67 and 1-4, where the server sees the effects of the newly updated driver).

As per claim 4, Yan et al. further disclose that the server comprises a printer server (see column 17, lines 39-52).

As per claim 5, Yan et al. further disclose that the applet comprises a security signature (see column 2, lines 45-64).

As per claim 6, Yan et al. further disclose that the information comprises file names (see column 23, lines 47-53).

As per claim 7, Yan et al. further disclose that the information comprises a file name associated with the additional file (see columns 23 and 24, lines 66-67 and 1-4).

As per claim 9, Yan et al. further disclose searching a memory associated with a camera (see column 24, lines 28-40).

As per claim 10, Yan et al. further disclose searching for an image file (see column 24, lines 28-40).

As per claim 11, Yan et al. further disclose that the executing includes invoking a request for a user's input (see columns 22 and 23, lines 57-67 and 1-12).

As per claim 13, Yan et al. disclose a method for loading a file on a server, as claimed, comprising:

- communicating a file from a client to the server, the file containing information (see columns 22 and 23, lines 57-67 and 1-12);

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- generating an applet based on the information (see columns 22 and 23, lines 57-67 and 1-12);
- communicating the applet from the server to the client (see columns 22 and 23, lines 57-67 and 1-12);
- executing the applet on the client to thereby cause searching for an additional file (see columns 23 and 24, lines 66-67 and 1-4);
- communicating the additional file to the server (see column 23, lines 58-65 or columns 23 and 24, lines 66-67 and 1-4, where the server sees the effects of the newly updated driver); and
- configuring the server using at least the additional file (see column 23, lines 58-65 or columns 23 and 24, lines 66-67 and 1-4, where the server is configured because the driver is updated and installed onto the printer).

As per claim 16, Yan et al. further disclose that the server comprises a printer server (see column 17, lines 39-52).

As per claim 17, Yan et al. further disclose that the applet comprises a security signature (see column 2, lines 45-64).

As per claim 18, Yan et al. further disclose that the information comprises file names (see column 23, lines 47-53).

As per claim 19, Yan et al. further disclose that the information comprises a file name associated with the additional file (see columns 23 and 24, lines 66-67 and 1-4).

6. Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Adolfsson (US 6,092,078).

As per claim 21, Adolfsson discloses a method for configuring a Web server, as claimed, comprising:

- communicating a file from a client to the server, the file containing information (see column 5, lines 21-24, where file is considered the initial request);

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- generating an applet based on the information (see column 5, lines 50-60);
- communicating the applet from the server to the client (see column 5, lines 50-60);
- executing the applet on the client to thereby cause searching for an additional file (see column 5, lines 50-60, where additional file is considered the altered layout);
- communicating the additional file to the server (see column 50-60); and
- configuring the Web server using at least the additional file (see column 5, lines 61-64).

As per claim 22, Adolfsson discloses that the additional file comprises an image file (see column 41-45, where images are from the web-camera).

As per claim 23, Adolfsson discloses that the configuring comprises associating the additional file with a Web page (see column 5, lines 50-60).

As per claim 24, Adolfsson discloses that the additional file comprises an image file associated with a Web page hosted by the Web server (see column 5, lines 61-64, where Web server is considered the NEIOD thin server).

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 25-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Morris (US 6,353,848).

As per claim 25, Morris discloses a method for loading a file on a workstation, as claimed, comprising:

- communicating information from a device having a virtual machine to the workstation (see column 11, lines 25-34);
- generating an applet based on the information (see column 11, lines 41-51);

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- communicating the applet from the workstation to the device (see column 11, lines 41-51);
- executing the applet on the device to thereby cause searching for a file (see column 12, lines 60-66); and
- communicating the file to the workstation (see column 12, lines 60-66).

As per claim 26, Morris discloses that the workstation comprises a server (see column 11, lines 15-24).

As per claim 27, Morris discloses that the device comprises a photographic device (see column 11, lines 15-24).

As per claim 28, Morris discloses that the file comprises an image file (see column 12, lines 60-66).

As per claim 29, Morris discloses a method for loading a file on a workstation comprising:

- communicating information from a device having a virtual machine to the workstation (see column 11, lines 25-34);
- communicating an applet from the workstation to the device in response to the information (see column 11, lines 41-51);
- executing the applet on the device to thereby cause searching for a file (see column 12, lines 60-66); and
- communicating the file to the workstation (see column 12, lines 60-66).

As per claim 30, Morris discloses that the workstation comprises a server (see column 11, lines 15-24).

As per claim 31, Morris discloses that the device comprises a photographic device (see column 11, lines 15-24).

As per claim 32, Morris discloses that the file comprises an image file (see column 12, lines 60-66).

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Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2,3,8,14,15,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yan et al. as applied to claims 1 and 13 above, and further in view of Brother ("Mass Deploying Windows Drivers in Windows 2000").

As per claims 2,3,14 and 15, although the system disclosed by Yan et al. shows substantial features of the claimed invention (discussed above), it fails to disclose that the file comprises an INF file.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Yan et al., as evidenced by Brother.

In an analogous art, Brother discloses configuring a printer using the Windows installation wizard that uses a printer INF file to configure a printer that will be shared on the network (see page 3, IPP Printer and Driver Deployment).

Given the teaching of Brother, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Yan et al. by using an INF file, such as disclosed by Brother, in order to prepare for the mass deployment of the driver (see Brother page 3, IPP Printer and Driver Deployment).

As per claims 8 and 20, although the system disclosed by Yan et al. shows substantial features of the claimed invention (discussed above), it fails to disclose searching a CD in a CD-ROM drive.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Yan et al., as evidenced by Brother.

In an analogous art, Brother discloses searching a CD in a CD-ROM drive to find a driver (see page 3, IPP Printer and Driver Deployment).

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Given the teaching of Brother, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Yan et al. by searching a CD in a CD-ROM drive, such as disclosed by Brother, in order to locate the file that is needed to install the printer drivers.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crater; Kenneth C. et al.	US 5805442 A
Danknick; Dan et al.	US 5901286 A
Engel, Glenn R. et al.	US 20020198969 A1
Inoue; Chizu et al.	US 6456388 B1
Lipe; Ralph A. et al.	US 5748980 A
Logan; James et al.	US 5781909 A
Newman; Gary H. et al.	US 6085229 A
Parthasarathy; Srivatsan et al.	US 6347398 B1
Sonderegger; Kelly Ervin	US 5761499 A
Traversat; Bernard A. et al.	US 6052720 A
Traversat; Bernard A. et al.	US 6161125 A
White; Craig R.	US 6125372 A
WOOD, CHRISTOPHER G. et al.	US 20010055492 A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip J Chea
Examiner
Art Unit 2153

PJC 12/22/04



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